ltr 4-22/67

U.S. Asks Denial Of Army Doctor's Plea to Court

By United Press International

The Justice Department has asked the U.S. District Court here not to interfere in the court-martial of an Army doctor who refused to instruct Special Forces troops headed for Vietnem because of his opposition to the war.

The department yesterday asked denial of a request by Capt. Howard B. Levy for a special three-judge panel to hear his case. To grant the request would be an "unprecedented interference with the adiminstration of military law," it said.

Levy, 29, former chief of dermatology at the N.S. Army Hospital at Ft. Jackson, S.C., is to stand trial before a general court-martial May 10.

He is charged with refusing to instruct medical aid personnal headed for duty in Vietnam and with promoting "disloyalty and disaffection" by urging troops, especially Negroes, not to serve in Vietnam.